

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHY WARENECKI	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, ET AL.	:	NO. 10-1450

ORDER

AND NOW, this 3rd day of November, 2010, upon consideration of Defendants' Motion for Summary Judgment (Docket No. 14) and Plaintiff's response thereto, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that said Motion is **GRANTED IN PART, DISMISSED IN PART** and **DENIED IN PART** as follows:

1. Defendants' Motion is **GRANTED** as to Counts I, II, III, and V of the Complaint.
2. **JUDGMENT IS ENTERED** in favor of Defendants and against Plaintiff as to Counts I, II, III, and V of the Complaint.
3. Count IV of the Complaint is **WITHDRAWN**, and Defendants' Motion is therefore **DISMISSED AS MOOT** as to Count IV.
4. Donald F. Schwarz is **DISMISSED** as a Defendant in this case.
5. Defendants' Motion is **DENIED** as to Count VI of the Complaint.¹

BY THE COURT:

/s/ John R. Padova

John R. Padova, J.

¹ This case will proceed to trial only on Count VI.